



Appeal Decision

Site visit made on 20 August 2025

By A. J. Boughton MA (IPSD) Dip. Arch. Dip. (Conservation) RIBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 02 September 2025

Appeal Ref: APP/P4605/D/25/3368466

5 Stanfield Road, Quinton, Birmingham, B32 2AJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Zahid Iqbal against the decision of Birmingham City Council.
 - The application Ref is 2025/01780/PA.
 - The development proposed is Erection of single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for Erection of single storey rear extension at 5 Stanfield Road, Quinton, Birmingham, B32 2AJ, in accordance with the terms of the application Ref 2025/01780/PA and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development shall be completed in accordance with the following approved plan: 250102/101

Main Issue

2. The main issue is the effect of the proposed development on the living conditions of 3 Stanfield Road.

Reasons

3. The appellant proposes the removal of a large conservatory and the addition of a single storey flat-roofed extension to the rear of the already-extended host dwelling, 5 Stanfield Road (No.5). Although both No.5 and the adjacent house (No.3 Stanfield Road) were originally semi-detached with other dwelling pairs, the gap between No.3 and No.5 has been infilled at ground level such that there is partial terracing and a slight convergent effect due to the curved road layout.
4. The Council's refusal reason refers to a level difference, and to Policy DM10 of the Development Management in Birmingham DPD 2021 (DMDPD), which indicates that *'Development will need to ensure adequate outlook and daylight to dwellings which includes potential impacts on existing houses, where development should not cross the line from an angle of 45 Degrees from the nearest window providing the main source of natural light to a habitable room'*. In this case, it is not disputed that the proposed extension would interfere with that 45° splay from the window in

the small kitchen extension of No.3, however, from my observations, a number of other factors are material to the likely impact of what is proposed.

5. The rear elevations of both No.5 and No.3 face in a north-easterly direction, and the proposed extension would therefore be on the northern side of the affected property, such that direct interference with sunlight/daylight is likely to be nominal. Whilst the height difference¹ between the properties would tend to increase any shading effect, the splay referred to passes within² one metre of the outer edge of the extension proposed. Further, the 45° splay currently passes through the end of the infilling side extension of No.3, at a point where there is also some boundary planting of non-deciduous trees and a high fence.
6. Overall, and taking into account the otherwise open outlook from both houses and their ample gardens which have good access to available sunlight, it is my conclusion that the impact of the extension upon access to daylight for the nearest window of No.3 would not be unacceptable. Nor, for the same reasons, would the extension appear unduly overbearing, notwithstanding the small levels difference.
7. I therefore conclude the proposed development would not conflict with Policies DM2 or DM10 of the DMDPD nor, therefore³, with the development plan as a whole. Consequently, for the reasons given and taking all matters raised into account, the appeal succeeds subject to the usual timing and plans conditions.

Andrew Boughton

INSPECTOR

¹ Which I estimate to be in the region of 0.5m

² approximately

³ The Council mention other policies and guidance but in a non-specific manner